

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>DONALD SAMIER, Inmate #N34620,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 05-134-JPG</b>
	)	
<b>DR. POWELL and UNKNOWN PARTY,</b>	)	
	)	
<b>Defendants.</b>	)	

**JUDGMENT**

This action came before the Court on Plaintiff's motion to proceed *in forma pauperis*. On March 18, 2005, the Court granted Plaintiff's motion, assessing an initial partial filing fee as required by 28 U.S.C. § 1915(b)(1). When no payment was received, the Court ordered Plaintiff to show cause why this action should not be dismissed for his failure to comply with a court order. Plaintiff has failed to comply with that order in the time allotted; therefore, the Court has rendered the following decision:

**IT IS ORDERED AND ADJUDGED** this action is dismissed for failure to pay the initial partial filing fee. Dismissal is with prejudice. Judgment is entered in favor of Defendants and against Plaintiff. Plaintiff shall take nothing from this action.

August 25, 2005  
Date

By: s/ J. Phil Gilbert  
District Judge